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12/15/02

In The United States Patent and Trademark Office

Patent
Docket No.: 48924US031

In re Application of:
Kenneth L. Smith et al.

Serial No.: 10/039,103
Filed: Jan. 4, 2002
For: FLEXIBLE CUBE-CORNER
RETROREFLECTIVE SHEETING

Group Art Unit: 2872

Examiner: Phan, J.

TECHNOLOGY CENTER 2800

DEC 10 2002

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, DC 20231

Dear Sir:

Applicants wish to advise the Examiner that the assignee of the present application has filed suit against Reflexite Corporation regarding infringement of parent U.S. Patent Nos. 5,450,235 (Smith et al.), 5,988,820 (Huang et al.), and 6,350,035 (Smith et al.). The litigation is in the United States District Court for the District of Minnesota and has been accorded case no. 020-CV-1251 ADM/ARB.

Pursuant to 37 CFR §1.56 and §1.97-1.98, enclosed please find a completed form PTO-1449 citing an additional reference submitted for consideration by the Examiner during examination of the above-referenced patent application. A copy of the reference cited is enclosed.

The reference, which is entitled "Reflexite's Response to 3M Letter Asserting Infringement of U.S. Patents 5,450,235 and 5,988,820", consists of pertinent portions of a document submitted to 3M by the defendant Reflexite Corporation setting forth allegations that certain cube corner sheeting product(s) were placed on sale in the United States more than one year before the earliest effective filing date of the present application. The document was submitted to 3M in the context of settlement discussions prior to commencement of the lawsuit. If further information concerning this reference is desired, kindly contact the undersigned.

Applicants cannot independently verify the structure and composition of the alleged product or whether such product constitutes prior art to the present invention. Applicants reserve the right to challenge such a finding.

Applicants request consideration of this additional reference by the Examiner in regard to the present application, and request that the Examiner initial and return the enclosed Form PTO-1449.

02/24/2003 PBRITTON 00000002 133723 10039103
Sale Ref: 00000003 DAB: 133723 10039103
01 FC:1806 180.00

USSN: 09/582,932

Deposit No.: 53899US009

Also attached hereto is a courtesy copy of a prior Information Disclosure Statement cover letter submitted in one of the parent applications on or about March 14, 1997 by my colleague Mr. Karl Hanson, which includes a discussion of already-cited Technical Report Nos. 9077 and 9078.

Please charge to Deposit Account No. 13-3723 the fee specified in 37 CFR § 1.17(p), and any additional fee(s) that may be due in connection with this Information Disclosure Statement.

Registration Number		Telephone Number		Respectfully submitted,	
35,207		651-736-3369		Signature	
Date				Stephen C. Jensen	
Dec. 9, 2002				Print Name	
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